

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-3 are currently pending. Claims 1 and 3, which are independent, are hereby amended. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-3 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Publication No. 2001/0043795 to Wood et al. (hereinafter, merely “Wood”) in view of U.S. Patent No. 6,983,478 to Grauch (hereinafter, merely “Grauch”) and further in view of U.S. Patent No. 7,167,895 to Connnelly (hereinafter, merely “Connnelly”).

Claim 1 recites, *inter alia*:

“...scheduling means for scheduling the exhibition of the content;

exhibition control means for controlling the exhibition of the content recorded in the another apparatus, according to the degree-of-exposure control data generated by the generating means and the scheduling means;

obtaining means for obtaining the state data of the content sent from the another apparatus,

wherein the state data includes information on viewed content and not viewed content...

...rescheduling not viewed content..." (emphasis added)

Applicant submits that the claim 1 generally refers to sending EPG data with advertisement data and instructional information to a client server system. The advertisement data is intended to be viewed by the client along with or soon after selected EPG data. A feedback system allows the rescheduling of advertisement data that hasn't been viewed.

As understood by Applicant, Wood relates to a video data recorder for recording predefined format shows having integrated channel guides allowing a user to control recording and storage of television signals. The user may specify criteria for recording of shows from an input source where shows are selected based on the criteria and recorded for later playback. The shows to be recorded may have a predefined format which may be used to ease playback of recorded programming by allowing the user to locate and playback sections of programming.

As understood by Applicant, Grauch relates to an interactive media delivery system that enables interactive media programming to a multimedia device and tracks a subscriber's use of the multimedia device.

As understood by Applicant, Connelly relates to providing content on demand.

Applicant submits that Wood, Grauch, and Connelly, taken alone or in combination, fail to teach or suggest the above-identified features of claim 1. Specifically, Applicant submits that there is no teaching or suggestion scheduling means for scheduling the

exhibition of the content, exhibition control means for controlling the exhibition of the content recorded in the another apparatus, according to the degree-of-exposure control data generated by the generating means and the scheduling means, obtaining means for obtaining the state data of the content sent from the another apparatus, wherein the state data includes information on viewed content and not viewed content, and rescheduling not viewed content, as recited in claim 1.

Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claim 3 is also believed to be patentable.

### **III. DEPENDENT CLAIMS**

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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